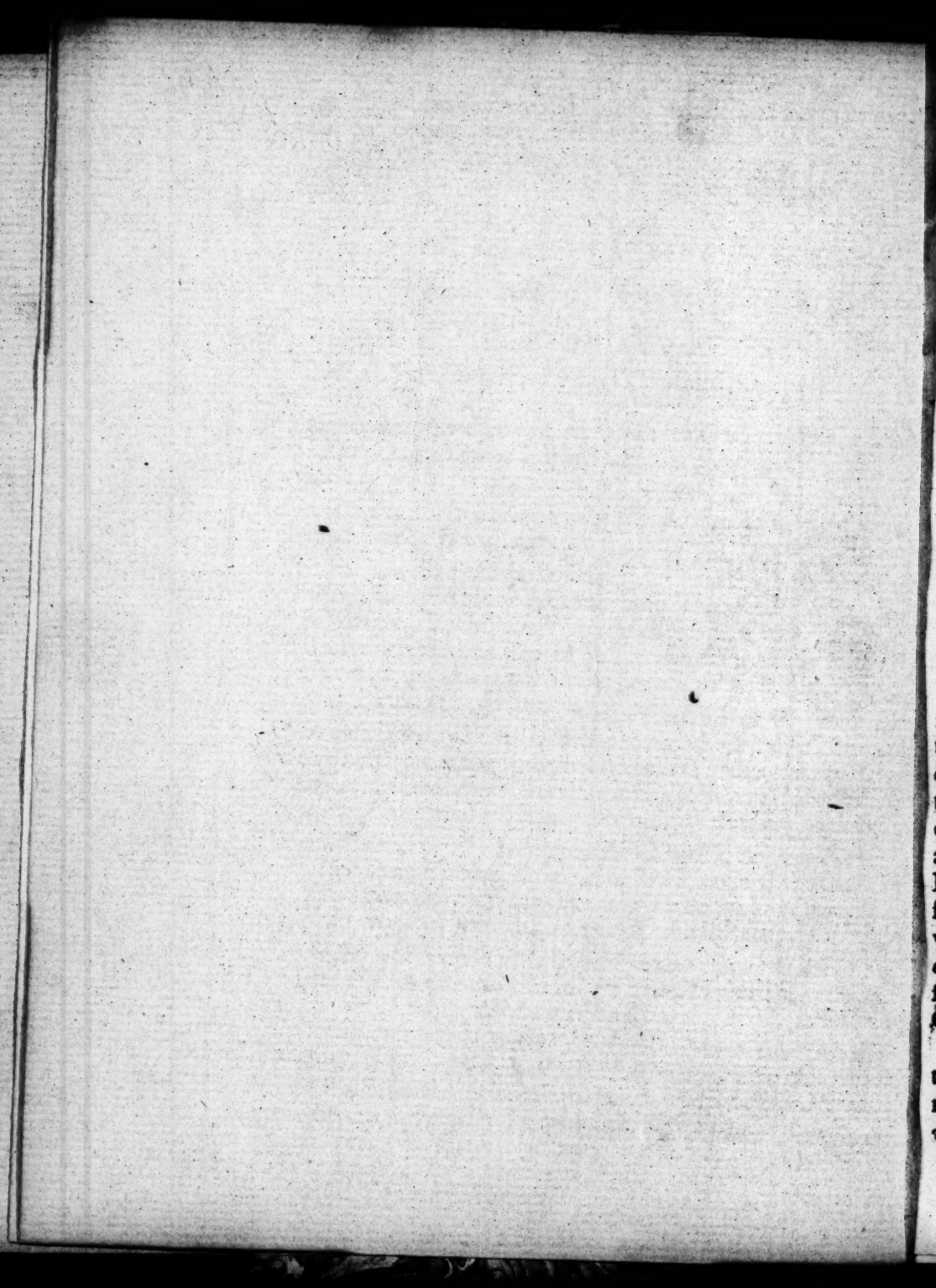


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1620
Edwin R. Seligman





A modest Vindication of the Case
of *John Giffard* Gent. And an
Answer to the Reply of the Preser-
vators of Deane Forrest.

*With certain Reasons why those Iron Works should not
be demolished untill his stock be wrought out.*

IT seems not a little strange to the
Vindicator, That the Remonstrance
of Parliament of Decemb. 15. 1641.
should be used as an Argument for
destruction of his Iron Works in the
Forrest of Deane, which by a speciall
Ordinance of Parliament of October
27. 1645. (notwithstanding the said Remonstrance) were
thought fit by the judgment of the same Parliament to be
continued: and by the same Ordinance assigned wood for
the supply thereof. And though the Parliament did give
order to demolish all the Iron Works in the said Forrest,
and yet were afterwards pleased upon just Grounds and
Reasons to continue *Mr. Giffards*, it ought not to seeme
strange to any well-affected persons, especially the Preser-
vators of that Forrest, what the Parliament upon subse-
quent debate and mature deliberation have done therein
for relief of the said *Giffard* in prosecution of the said
Ordinance.

2. To the second: And it cannot be construed lesse
then superlative boldnesse in the Penner of that Reply, to
render the Order and Result of Parliament as an act of
very great injustice, that other Works that were built up-

on the inheritance of private Gentlemen in the Forrest were pulled down, though not one of the Owners of the said Works held theirs, or had wood assigned them by speciall Ordinance of Parliament, or did petition for relief, although they were not ignorant the said Vote did concern all other the Iron Works in the said Forrest, as well as the said Mr. Giffards. Besides the Preservators wel know that other Works are continued in the Forrest which have spent the Forrest wood, and that one of the said Preservators hath lately begun to build a Furnace within that Forrest, which cannot long be kept going without making use of the Forrest wood. And whosoever will without prejudice view the printed Case of the said Giffard, and the Parliaments Order of Reference to the honourable Committee of Revenue thereupon, and their Report to the House, will find sufficient Reasons given for continuance of those Works till his stock be wrought out, and not grounded upon bare pretences and allegations, as by the Preservators is suggested.

3. And why a designe of their progenitors driven on for fifty yeares and upwards, whom they magnifie to have been men of publike spirits, should now (*for private interest*) be drawn into example to the utter ruine of a particular person, that hath had no wood in the said Forrest but what he hath justly paid for, nor hath any power or potency for his protection but the mercy and justice of Parliament, against such powerful & prevalent Adversaries. And why the just and pious intentions of the Parliament to relieve a distressed person, should be prejudicated or interpreted *a dashing of the hopes of thousands pretended to be greater sufferers for the Parliament then Mr. Giffard*, he understands not the reason of that assertion. Neither indeed can it be made appeare, that any one of those thousands (which in truth are but few hundreds) have in any measure proportionably been so great sufferers as the Vindicator. And there was never heretofore any president of pulling down Iron VVorks before the stock was wrought out, nor any Petition preferred to that end, till of late
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most injuriously against Mr. *Giffard*, whereby it plainly appears there is a lie designe and self-interest driven on by the Petitioners, beyond the preservation of wood and timber, which was the chief pretence.

4. And is it not a high presumption in the Penners of that Reply, to assert that what the Parliament hath done or shall do in altering their resolutions, is in a charitable gratification to the insinuations of a private man, thereby adjudging and censuring the past and future transactions of Parliament upon bare and specious pretences, though in truth founded upon the grounds of justice, equity and reason, an unparallel'd boldness without president or example: And though the Parliament hath been pleased to refer the Petition of the said *Giffard* to a Committee of theirs, to consider how the woods of the Forrest may be preserved from consumption by reason of his Iron-works, and how the Petitioner may have relief, and report their Opinions to that honourable House; yet in opposition to the said Order of Parliament, they insinuate that the said *Giffards* just requests are pretensions rather than reall truths, thereby indeavouring to obstruct the Report, and hinder reliefe to the Petitioner, till the said businesse be examined, though they very well know that if that Report be not made before the 25. of this instant March, all his works will be pulled down to the ground, & he thereby totally ruined before he can be heard, and rest not there, but state an abstruse question, whether it be charitable or honorable to gratifie the desires of one man, to the apparent losse of the State, and disadvantage of so well deserving a people. But wherein this apparent losse to the State, or disadvantage to the people lies, they neither do nor can set forth. For, sufficient security being given that no wood or timber in that Forrest shall be cut or diminished by Mr. *Giffard* his Servants or Workmen for his use upon any pretence whatsoever, during the time to be granted him for working out his stock, which is the Order and Report of the said honourable Committee of the Revenue, and their opinion that he may have a yeares time from Lady day next allowed for that purpose. It is impossible there can be any losse to the State, or disadvantage to the people; and therefore admires the Penman does not blush to suggest so great a fallacy. Where, as the continuing of those Works till the stock (already bought) be wrought out, will be of very great advantage to this Commonwealth, in keeping down the price of iron, which (since the late demolishing of some Works in that Forrest) is much advanced, and will be raised higher, if those Works should be suddenly demolished.

5. The fifth is fully answered in the second Article.



Answer to the Objections against
the severall Reasons in the Case of
Mr. *Giffard*, for obtaining time
to work out his Stock.

1. **F**irst it is alledged, that the greater part of the wood he hath coal'd was timber, but doth not nominate any place where the said timber was coal'd, or of whom it was bought: if the Author and penner of it would have it supposed to be timber of the Forrest of Dean, that is both improbable and untrue, notwithstanding his pretence of proof by the Commission; for the Surveyor and four Preservators of the Forrest formerly appointed and authorised by the Honourable Committee of the Revenue to set out the Feller, and deliver the wood which was by them sold to Mr. *Giffard*, (which said Officers in the places where they live are esteemed by their Neighbours to be men of sufficiency and integrity) did first bound out the Feller, and afterwards taking the advice of a Ship-Carpenter, and of a House-Carpenter, did mark all the best timber trees to stand, leaving the residue to be cut down by his workmen for the use of the Iron VVorks; and some of the said Preservators were daily in the said Feller, where if they found any tree or considerable piece of a tree after cutting down that proved to be timber, they marked the same, and caused it to be squar'd and preserv'd for that purpose, divers of which are yet to be seen in the Forrest within the said Feller; by which it appears all due care was taken for preservation of the timber: and the said Officers and an under VVoodward did as there was occasion, deliver the
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Cordwood by measure to Mr. *Giffard* or his servants, keeping a just account of the same: what hath been by him, or to his use received is duely paid for. He presumes for the Reasons herein expressed, none will believe that he made such consumption of timber as is suggested, and hopes that it is not to be imputed to him as a Crime, to have made use of such wood as he bought and paid for to those that had good authority to sell the same; he desires no future dealing, onely craves leave to work out his stock already bought, and no more.

2. To the second, Mr. *Giffard* doth affirm that he hath such a stock of Coal made of the Forrest wood, as in his Case was truly alledged, neither can the contrary be made appear, whatever the Author or Penner pretends, thereby unjustly and maliciously aspersing the said Mr. *Giffard*, who though indeed he begs of the Parliament, did never make any brags of his Policy in the Countrey, nor hath made any Contracts at all for Coal or VWood since the first of January last, but to the contrary, gave speciall command to his servants to buy none at all, and believes they have observed his command, because he knows of nothing to the contrary.

3. To the third, he cannot believe his stock of 5000. l. and upward will be worth any thing, if all the Iron Works in the said Forrest be pul'd down, for the Charcoals will be broken in pieces in removing and carriage of them to any other Iron VVork, so that they will not be worth the charge, and for other part of the stock it will be of as little value, the charge of carrying it so great a distance considered, and for his twofold answer that Mr. *Giffard* hath no such stock of the State, by his leave that is not true, for the Coal made of the VWood he bought of the State is a great part of it, and they can suffer no losse by giving him leave to work out all his stock with his works which he built and repaired at his own charge, and paid two thousand pounds for use of them, for five years, of which above two years and a quarter is yet to come, and unexpired, but craves only that by the Justice and favour of the House

House he may have but one years time, and cannot doubt but that the Parliament for the Reasons before alledged will think his request just and reasonable, and that he ought to have the working out his own stock rather than any other man. And whereas it is by some insinuated, that there be Undertakers that will buy his stock and make him a gainer, those are but meer delusions to spin out the time, till his works by the violence of his enemies be plucked down, whereby he may be silently undone, and left without remedy, but hopes the Parliament will never suffer so great an injury to be done to him that hath served them faithfully with his life and fortune, and is ready and willing to do the like again, if they shall have occasion.

4. Mr. *Giffard* doth not desire the continuance of the Iron VVorks longer then to work out his stock, which under favour he hopes will be thought a very just and reasonable request: he is willing the good timber of the Forrest should be preserved for shipping, and is resolved to buy no more wood at any rate whatsoever: he will not presume to be so saucy to put interpretations upon the Votes of Parliament, as the Author of this Article doth, and for his undertakers to serve this Nation with forraign Iron, as good & good cheap as now they have: first, 'tis manifest it will never be so good, and secondly, it is much doubted that the undertaking will not long be performed, it is heartily wished that this Common-wealth (by sad experience) may not find the contrary.

5. The giving security will be found to be of value, for no wood or timber can be cut in the Forrest for the use of Mr. *Giffard* without hazard of forfeiting the Bond, and in case any such thing should be attempted, the State may when they please seize upon twenty times the value: his allegation that goodly trees have fallen to make Coal, is not to be applied to Mr. *Giffards* case, neither can there be any such thing laid to his Charge or proved against him; he cannot justify all the workmen that are employed about his Iron VVorks, but is assured that the greatest part of them have been more faithfull to the Parliament, then

then divers of those that have put their hands to the Petition for pulling down the Iron Works.

6. And for the sadnesse of *M. Giffard's* condition, and his friends, it is very evident to all, except such as without cause are, or will be possesst with prejudice against him, it is not a bare pretence, but a reall truth, nor can it be proved by able men, that *M. Giffard* hath gained any such sums of money as is pretended; for he hath had the works, as to his own use, not two years and three quarters, did pay 2000.l. for them, besides the building and the repairing, which cost above 1500.l. more, and above 1100.l. debt due to the State, which he likewise satisfied, was forced to take up great sums of money to stock the said Works, besides his particular debts in the Country to severall poor men that are not able to forbear their money, and amongst whom he oweth very great sums: these payments and other deductions considered, it is not probable that any such great gain should be made in so short a time; the truth is, if his works be pulled down before his stock be wrought out, he will be so great a loser thereby, that it will utterly ruine him, and many of his friends that are engaged with him: that he cannot be made a saver by his reall stock unlesse he hath time to work it out, is already answered: It is an easie matter to traduce and scandalize a man, but a most difficult thing to repaire a ruined estate; they humbly and earnestly desire to be heard for the good of the State, but shew not wherein there is probability of losse, or hope of gaine to the State: The designe of *M. Giffard's* adversaries is to retard and obstruct any relief from the honourable House untill his Works be pulled downe, and then they well know it will be too late. And why the penman of this Article should presume to aver, as by the same is clearly meant, that an Act of Justice and Mercy in the State to relieve a distressed Petitioner, should be either a damage or dishonour unto them, without better reasons shewed for it, is a Paradox that wiser men then himselve understand not.

7. In the joyning issue they spare not to alledge any thing.

thing that may make for their purpose, though never so far different from the present business: It is not hinted in the Case, nor was ever desired, that the Works should stand any longer, then to worke out the Stock; and as the waste and spoile of timber made by others in that Forrest, doth not concerne Mr. Giffard, the same ought not to be urged to his prejudice: If any thing can be laid to his charge, he desires a fair proceeding by a legall triall, where he may have liberty to make his just defence, and that he may not be destroyed in an arbitrary way by a rude multitude; the greater part of which come to pilfer and steale what they can lay hands on, and covertly carry away.

8. The losse Mr. Giffard sustained at Cirencester, as it cannot be denied, whensoever it shall be controverted, will easily be proved, and for his supposed gain of 6000*l*. in the Forrest, it is a meer fiction hatch'd in the Penmans braine, and in case he were a gainer, it is neither just nor reasonable he should be destroyed without a cause. Their believing that he is not so fit an object of pity as others, is no rule to the Parliament: the pay that the Petitioner and his son received for their service, was not half so much as he laid out to raise his Troop, their comparisons of other mens affections cannot blast his fidelity, who doth not so urgently insist upon the standing of the Works, but for a reasonable time to work out his stocke, which his judgement doth informe him will be both honorable and profitable for the Parliament to grant, and prejudiciall to no man, except such as desire to raise the price of Iron for their private advantage, to the manifest damage of the Common-wealth,

All which is humbly submitted to the wisdom and judgement of the Parliament, and every Member thereof, and their speedy Order thereupon craved, without which sudden destruction will fall upon

Your most humble servant,

JOHN GIFFARD.

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